

Statement of

Mary A. Fetchet,

Founding Director of Voices of September 11th

Mother of 24 year-old, Bradley James Fetchet

who perished in the World Trade Center attacks on September 11, 2001

before the

United States House of Representatives Subcommittee

on National Security,

Emerging Threats and International Relations Hearing

Hearing on 9/11 Commission Recommendations:

Balancing Civil Liberties and Security

Tuesday, June 6, 2006

Room 2154, Rayburn House Office Building

Washington, D.C.

INTRODUCTION

Good afternoon, Mr. Chairman and members of the committee. My name is Mary Fetchet. I am founding director of Voices of September 11th, a 9/11 family advocacy group created in October, 2001. More importantly I am mother of 24 year old Bradley James Fetchet, who needlessly perished in the south tower of the World Trade Center on September 11th. It has been my privilege to work closely with Congressman Shays over the past 4 ½ years. I admire his tireless personal commitment and the important contribution this committee has made in keeping the spotlight on the implementation of the 9/11 Commission recommendations. My husband Frank, who was unable to attend due to a family emergency is also submitting testimony. Thank you from both of us for the opportunity to testify at this vitally important hearing. My goal today is to advocate for something I feel strongly about – creating the proper balance between increased security in a post 911 environment and our sacred civil liberties. Beyond my comments on civil liberties, I am here today to ask Congress' help in accelerating legislation and implementation of the 9/11 Commission recommendations.

September 11th was a defining moment in the history of our country that changed how we view the safety of our families and our nation. Along with nearly 3,000 families, my family suffered the loss of our wonderful son Brad. Since his death, I view my life in two chapters, before September 11th and after September 11th. Before 9/11 I worked as a clinical social worker and like most mothers, I was focused on the everyday needs of my family. I had little understanding of the political system and I naively believed our government was performing its fundamental duty to protect its citizens.

Like many Americans, my sense of security and my faith in our government was shattered on September 11th. At the age of 51 I became passionate about my civic responsibility as both a victims family member as well as an American - to ensure our government made the safety of our families and country a priority. I felt passionately that I didn't want another mother to suffer the horrific, senseless loss of a child due to terrorism.

My introduction to Washington began on July, 2002 when I spoke at a rally to support legislation proposed to create a 9/11 Commission. Over the next three years I many trips - too many to count - to Washington along with a handful of family members, known as the 9/11 Family Steering Committee. We brought the human face and the voices of the victims to the terrorism policy debate. Over the years we met roadblocks on every level of government, but a bi-partisan coalition of like-minded congressional offices and 9/11 Commissioners prevailed. Our collective efforts resulted in the passage of the Intelligence Reform and Terrorism Prevention Act of 2004.

This act signed into law in December, 2004 legislated a small portion of the forty-one 9/11 Commission recommendations. Although this was an important first step, nearly 5 years after 911 many of these reforms have not been fully implemented and nearly 2/3 of the recommendations have yet to be legislated. Government has a fundamental responsibility to protect its citizens and there can be no debate that our government failed us on 9/11. Yet, despite the ongoing threat of another more serious terrorist attack, nuclear, biological or chemical, the government is moving too slowly. I feel strongly that the 9/11 Commission's final report, set a comprehensive framework for long-overdue sweeping government reform. The

recommendations must be embraced in their totality, not implemented in a piecemeal fashion. It is my opinion that handpicking some, but not all, of the recommendations jeopardizes their effectiveness and creates an imbalance in the system. For example, increased government powers of surveillance granted through the Patriot Act require oversight to protect our civil liberties. Despite the comprehensive plan for government reform issued in the 9/11 Commission Report, our country remains vulnerable to another terrorist attack. My comments today reflect my belief that inertia has set in and the government is moving too slowly.

BALANCING INCREASED SECURITY AND PROTECTING CIVIL LIBERTIES

It is clear that the reauthorization of the Patriot Act and the expansion of wartime powers makes it easier for America's counter-terrorism services to gather intelligence. To supervise these new powers the Commission recommended the creation of an independent Privacy and Civil Liberties Oversight Board. They wrote in their landmark report: "At this time of increased and consolidated government authority there should be a board within the executive branch to oversee adherence to the guidelines we recommend and the commitment the government makes to defend our civil liberties." (page 412, 9/11 Commission Report) Yet progress on the creation of the board has been painfully slow, with delays in the confirmation process, limited funding and staff. The board has been slow to meet and lacks the necessary independence and subpoena power to investigate potential civil liberties violations. In fact, establishing a civil liberties with limited tools only creates an illusion that our civil liberties are being

protected and sets an environment for controversy and partisan debates around the misuse of powers. Recent news reports raise serious questions about violations of civil liberties which should be investigated by a robust, independent civil liberties board. I believe the civil liberties board should be empowered to protect against the violation of the fundamental principles of our democracy.

INTEROPERABILITY

On 9/11 over 600 individuals needlessly died in the South tower of the World Trade Center buildings, the second building hit by an airplane. My son Brad was one of them. The occupants of the building were ordered to remain in their offices and individuals attempting to evacuate were sent back up to their offices. Hundreds of lives could have been saved if the first responders were able to communicate accurate information to the occupants of the building.

I was shocked to learn interoperability was identified as a problem in 1995, but Congress neglected to address the problem which could have saved lives on 9/11. Progress has been made in setting a deadline to allocate additional radio spectrum. Congress must now realistically evaluate the monies required to convert systems nationally and ensure an operating system is coordinated when the spectrum is available.

INFORMATION SHARING

The 9/11 Commission report concluded that key information was not shared between and amongst government agencies, allowing the 9/11 plot to escape detection. The December, 2004 intelligence legislation sought to remedy that failure by creating the position of program manager. Recent government reviews have been highly critical of the state of information sharing and have indicated that almost 5 years later the status has not greatly improved. We hear complaints from state and local authorities that have chosen to operate independently because they are not being included in receiving key information. For example, in New York City the NYPD created their own counterterrorism intelligence capability and have established relationships with foreign countries. Without a coordinated effort to share information on the local, state and federal level we remain vulnerable today.

CONGRESSIONAL REFORM

Congress has little choice but to tackle oversight reform if the 9/11 legislation is to succeed. In the current structure most congressional committees have some jurisdiction over homeland security, making the current system prone to turf battles and inertia. If you look at the organizational chart from the 108th Congress that I have submitted for testimony, everyone is in charge so no one is in charge. Simply put, the current system is dangerously dysfunctional and undermines America's ability to prevent terrorist attacks at home or abroad. Streamlining the number of committees will be a long and painful process but will ensure

proper oversight and accountability. Congress must reform itself to provide the focus and transparent oversight required by the American people.

AFGHANISTAN

Voices of September 11th facilitated a cultural exchange project with an organization sponsoring two girl schools in Badakhshan, Afghanistan. We were notified that several schools had to close their doors due to direct threats to their students and a general state of unpredictability and unrest. Although Afghanistan has made great progress since the Taliban was defeated, we are very concerned about recent reports of anti-American riots and an increase in insurgents. We have a responsibility in a narrowing window of time to create an infrastructure and cultivate an ally in the war against terrorism. In addition, it's shocking that nearly 5 years after 9/11 Osama Bin Laden and his generals are still at large with no clear plan or sense of urgency to capture them. Has our government forgotten its responsibility to bring them to justice?

CONCLUSION

Our families have no alternative than to live with the constant reminder of the horrific nature of the death of our loved ones. Over the past 5 years my husband and I have been notified of Brad's remains on 5 occasions, mostly bone fragments, so we have only received a small portion of his body. Other families have never been notified, their loved one simply vanished in the attacks on 9/11. I cannot begin to convey how complicated and heart wrenching our loss has been.

Our country came together on 9/11 with a unified promise that “we will never forget”. I am told that Congress stood together on the steps of the Capitol and vowed to work together. However, I have witnessed firsthand that since 9/11 government reforms has been riddled with partisanship and turf battles and agendas of special interest groups have once again become a priority. The horror and loss our country suffered on 9/11 at the hands of terrorists has been tucked away and forgotten. We are here today as your conscience, to once again put a human face on the victims that lost loved ones on 9/11, and to ask for your support in implementing the 9/11 Commission recommendations. The government is moving too slow.

I want to again thank Chairman Shays personally for his unwavering support and to the members of the committee for your important work. I also want to recognize the dedication of Chairman Kean and Vice-Chairman Hamilton who I am forever indebted to for their steadfast commitment to our country. Brad’s death has taught me a valuable lesson, that I too have a personal stake in the terrorism policy debate. Through Voices of September 11th I am committed to provide ongoing support for those impacted by 9/11 and to continue to advocate for implementation of the 9/11 Commission reforms. I challenge each of you to make that same commitment. Make the 9/11 commission recommendations a priority in the upcoming election debates and educate your constituents about the sense of urgency. America needs your leadership and determination. The future of our families and the safety of our nation ultimately rests in you hands.

Thank you.

